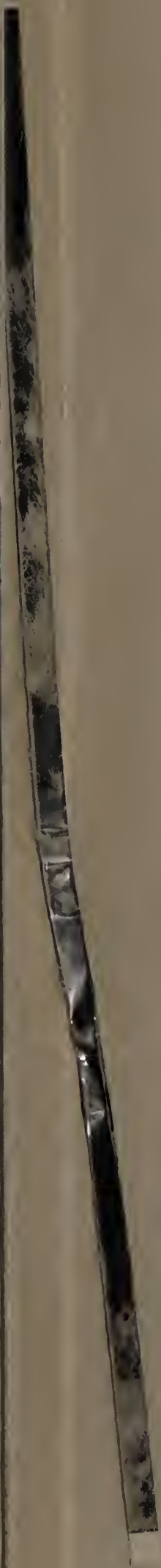


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THREE YEARS HARD LABOUR

An Address Delivered to the Irish Society of Oxford
University on the 31st October, 1924

*Balfin
Derrinlongh*

BY

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WITH A FOREWORD

BY

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FOREWORD

In this address, Kevin O'Higgins speaks with the clearness and frankness that people have learned to expect from him. He addressed Irishmen who are living for a time, and some of whom may yet live for their lifetime, in Great Britain. His hearers, no doubt, held a wide variety of political tenets, but their knowledge of Ireland made them valid witnesses to the soundness of his statement. I think that they and he chose well. In spite of everything that anybody may say or think, or say that he thinks, to the contrary, it is a primary duty of both Irish and British patriotism to endeavour to bring about a sound, friendly, and honourable understanding between the peoples of the two countries. For this endeavour, Irishmen living in Great Britain have exceptional opportunities.

The Treaty of 1921, for the great majority, I think, in both countries, made such an understanding possible. The Treaty had and still has two groups of opponents. One group holds that England is incurably anti-Irish, and therefore Ireland must be anti-English. The other group holds that Ireland is incurably anti-English, and therefore England must be anti-Irish. Mr. O'Higgins reminds us that these two sections, in violent but theoretical opposition to each other, agree in calling the Treaty "The Great Surrender." Nor is their agreement merely verbal. In acts, as in words, they have both worked hard to get "back to 1917." They hold a common basis of political thought that goes much further back, reminding me of the king who remained a heathen because, if he became a Christian, he could not be buried upright in the rampart of his fortress facing his enemies, as he said, "for the perpetuation of hatred."

The Treaty had to deal with an international situation that was already vitiated, as far as political contrivance could contrive, by the "Partition Act" of 1920. I recall a statement made in writing to a convention of Irish Unionists during the Asquith-Redmond alliance. The writer was a representative Tory Imperialist, formerly Chief Secretary for Ireland, Mr. Walter Long, afterwards Lord Long. He dealt with a suggestion that the north-eastern corner should be separated from the rest of Ireland for the purpose of self-government. The parentage of the partition policy on the Unionist side remains obscure, but once more we see how extremes, theoretically in violent opposition, can arrive at the same practical conclusions. Mr. Arthur Clery and Father Michael O'Flanagan, one a philosopher, the other an orator, of the Anti-Treaty Republican party, have some celebrity as pioneer

advocates of the policy of partition. Mr Long was not of that mind. He denounced the futility of Partition as a means of reaching a settlement, and he added that, under Irish autonomy, the Unionist body in Ulster would be well able to protect their own interests, and that those who would have to fear oppression were the scattered Protestants in the rest of Ireland, whom the Partition policy would abandon to their fate !

The Ulster Unionists have never demanded a parliament or a boundary. On the contrary, they had bound themselves by a "Solemn Covenant," publicly adopted in their churches, to resist Home Rule without qualification. Not one of their representatives voted for the Partition Act, though certain British politicians now declare that Act to have been "a contract with Ulster." If the plea is that the Partition Act became a contract in virtue of its subsequent acceptance, then it is obviously necessary to determine by whom and in what extent of country it has been accepted—in other words, who were the valid contracting parties. The truth, however, is that the Partition Act was forced on Ireland, not as a settlement, but as a permanent unsettlement, "for the perpetuation of hatred," and not for the benefit of either "Northern Ireland" or "Southern Ireland." Experience is already showing that this measure was well calculated to poison the relations between Great Britain and Ireland in the time to come. Political enmities, even the oldest and the bitterest, do not long survive the causes that provoke them.

It would be quite a healthy thing to make the world observant of a fact that cannot be denied, that since the Anglo-Irish Treaty of 1921, and apparently in increasing degree, the Irish Free State has been the object of undisguised hostility on the part of an influential section of British politicians and of the British Press. At the same time, a virtuous endeavour is made to persuade people in Great Britain and elsewhere that the troubles embodied in and consequent on the Partition Act, a measure forced on Ireland by British politicians, constitute a purely Irish quarrel, which ought to be settled by Irishmen among themselves. I am told that the ordinary British elector is puzzled by the fresh intrusion of an "Irish question" into his politics. Will he be allowed to find out who is to blame? Whether we in Ireland like it or not—and we do not like it—every intrusion and intrigue of British politicians in Ireland will inevitably react on British politics, until perhaps it is at last recognised that the statesmanship which began arming Volunteers and culminated in the Partition Act, was not so damnably clever after all.

The sequel to the Great War has brought home painfully to the most hard-grained insularity the economic truth that, in the modern world, no country can really be a gainer by the economic destruction of a neighbour country, even if the

neighbour be a powerful economic rival. The British regime in Ireland resulted in the reduction of Ireland's population by one-half and the widespread destruction of Irish industries, during a time, be it noted, when certain nations recently liberated from other empires had increased fourfold in their population and maintained a continual economic progress. I put the question, whether an Ireland depopulated and pastoralised, any more than an Ireland partitioned and Balkanised, is likely to figure as a triumph of British statesmanship; in effect, whether those who lecture us about being anti-British would not be wiser to give up first being anti-Irish ?

EOIN MAC NEILL.

THREE YEARS HARD LABOUR

When your Committee's invitation arrived some few weeks ago, I felt that it would be definitely untrue to plead this year, as had been pleaded on previous occasions, that our home situation was such as to demand the whole time attention of members of the Government, and to necessitate the ruling out of all distractions, however seductive intrinsically. On this occasion the matter could be viewed somewhat more on its merits, and so viewed, seemed to permit of only one answer—that it would be desirable that someone who could lay claim to a rather intimate knowledge of our home position should endeavour to impart to this little floating Irish colony here at least a general picture of Ireland's actual position and prospects.

Let me not be accused of the offence of coming to speak of Irish politics to English people, who may reasonably be supposed to be preoccupied with their own. I have come to speak to Irishmen of Ireland, to Irishmen who are young with the young State, and who cannot entertain with regard to her future and its developments that indifference which is apt to come with the advancing years.

“What was the Revolution?”

Three years ago Revolution laid in ruins the administration of Ireland from Dublin Castle. “What was the Revolution?” asks Mr. Belloc, writing of the greatest and most violent and most bloody Revolution in history. “It was essentially a reversion to the normal—a sudden and violent return to those conditions which are the necessary bases of health in any political community.” English essayists and historians will in time summarise thus calmly and philosophically those stormy and envenomed chapters of the history of Anglo-Irish relations which lie between 1916 and 1921.

Conditions attaching to Self-Government.

Two conditions I submit attach to a people's right to the fullest self-government—a desire on their part to undertake their government and a fitness for that responsibility. There can be little doubt that over a long period the people of Ireland had put in evidence their intense desire to undertake the government of their own country, and their dislike of foreign administration. At the moment I simply state the fact without comment. People have differed, and will no doubt continue to differ, as to the wisdom of that mentality, but as to its existence on the part of the great mass of the people of Ireland there can be no manner of doubt. Without the least desire to rake back into “old, unhappy far-off things” in a spirit of angry controversy, may I pass in hurried retrospect over the last century and a half of Anglo-Irish relations? It was a period of rapid development in political thought. Modern democratic conceptions were gaining ground everywhere. The old feudal standards were fast vanishing. For

Anglo-Irish relations during past century and a half.

a period it seemed as if Ireland, too, would be swept forward by the world-tide of political progress. The year 1782 saw an Act passed by the British Parliament declaring "That the right claimed by the people of Ireland to be governed only by laws made by the King, Lords and Commons of Ireland is hereby ascertained and established for ever, and shall at no time hereafter be questioned or questionable." Eighteen years later, before the Parliament in Ireland had time to follow its inevitable evolution from being the Parliament of an ascendancy to becoming the Parliament of a Nation, Pitt's policy of legislative Union had won the field, and was enshrined in the Act of Union of 1800.

From 1800 to 1921 the attitude of the people of Ireland was an attitude of unceasing protest. The protest, it is true, took different forms with changing time and circumstance, but it was never absent. Now it broke out in puny rebellion, quickly and sternly suppressed, again it ran in more or less constitutional moulds, but whether voiced by O'Connell, the Young Irelanders, Fenianism, Butt, Parnell, Redmond, or Sinn Fein, the claim was raised insistently throughout that century and a quarter of Ireland's right to "Government of the people, by the people, for the people," and if, as I have suggested, a people's right to self-government depends for one of its conditions on a genuine desire on the part of the people to undertake its own Government, the most exacting critic will admit that there was no default in respect of that condition in the case of Ireland.

I mentioned as another condition—fitness for the responsibilities of self-government. Obviously that is a condition the test of which can come only after the right has been conceded and the responsibilities assumed. Obviously, too, it is a condition regarding which no hasty judgment can be formed, but it is because I hold the view that Ireland is emerging satisfactorily from the test of that condition, and that the capacity of her people for self-government will continue to assert itself with an increasing emphasis, that I have ventured to express the opinion that even English historians will come to write of the altered conditions in Ireland in precisely the terms with which Mr. Belloc summarises the French Revolution: "It was essentially a reversion to the normal—a sudden and violent return to those conditions which are the necessary bases of health in any political community."

In the General Election of December, 1918, Ireland turned very definitely and emphatically from what was called "constitutional action." She withdrew from Westminster, and proceeded to act upon the basis that her political centre of gravity lay within herself. She had seen her Parliamentary Party in Westminster occupy the peculiarly favourable position of holding the balance of power between rival English political

Ireland's
fitness for
Self-
Government.

Failure of the
"Constitution"
in Ireland.

parties—a situation which might not arise again in a generation—and she had been prepared to test the efficacy of constitutional action on its results.

A very attenuated measure of local autonomy was produced, and passed through the House of Commons. It was thrown out by the House of Lords, but finally under the provisions of the Parliament Act of 1911, was signed by the King, only to be hung up in the face of the Curragh mutiny and threats to “kick the Crown into the Boyne” and “lynch British Ministers from London lamp-posts.” Ireland turned from constitutional action to the methods which she had seen prevail. Her members would walk no more the lobbies of Westminster. In 1918 the Parliamentary Party of John Redmond, which in 1910 had stood unchallenged in Ireland, disappeared from the scene for ever.

Ireland, 1918
to 1921.

There followed three crowded years of unprecedented national effort, years in which practically the entire country rallied behind its proclaimed Dáil, with its subterranean Departments and its loose flung guerilla territorial forces. It was a people at bay in defence of its native institutions, which every proclamation served but to rivet in their hearts, while Dublin Castle, fighting its grim battle for existence, struck and struck again with all the ferocity and cunning it had learned through the centuries. Let no man attempt to pick his steps amidst that kind of welter, weighing with meticulous scales the rights and wrongs. The people fought as they could, remorselessly and desperately. The Castle gave measure for measure. When bullet, rope, bomb, mine, torch and thumbscrew had made in fierce crescendo their contributions to the controversy, there came the Truce, the negotiations, and finally that which Miss MacSwiney and Lord Carson from their respective angles call “The Great Surrender.”

Present
Constitutional
status of
Ireland.

Ireland secured by that “surrender” a constitutional status equal to that of Canada. “Canada,” said the late Mr. Bonar Law, “is by the full admission of British statesmen equal in status to Great Britain and as free as Great Britain.” The constitutional status of Ireland, therefore, as determined by the Treaty of 1921, is a status of co-equality with Britain within the British Commonwealth. The second Article of the Constitution of the Free State declares that “All powers of Government and all authority, legislative, executive and judicial, in Ireland are derived from the people of Ireland.” Yet the right of the people of Ireland to found a State on that broad basis of Democracy was challenged more fiercely than Dublin Castle was challenged by many who had never challenged Dublin Castle, and by methods that had not been adopted against Dublin Castle.

Ireland, 1922.

To form a just appreciation of developments in Ireland in 1922, it is necessary to remember that the country had come

through a revolution, and to remember what a weird composite of idealism, neurosis, megalomania and criminality is apt to be thrown to the surface in even the best regulated revolution. It was a situation precipitated by men who had not cleared the blood from their eyes, and reinforced by all the waywardness of a people with whom, by dint of historical circumstances, a negative attitude had tended to become traditional. With many it was the reaction from a great fear. With others it was fanaticism, pure and simple. With others still, it was something that was neither pure nor simple; an ebullition of the savage primitive passion to wreck and loot and level when an opportunity seemed to offer of doing so with impunity. Instincts of that kind are not an Irish monopoly. They are universal to human nature, but in the conditions which exist in modern civilised States, they are, for the most part successfully, held in check, manifesting themselves only in occasional isolated outrages of a revolting character or in sporadic local outbreaks, easily countered by the organised forces of the State. But in Ireland in 1922 there was no State and no organised forces. The Provisional Government was simply eight young men in the City Hall, standing amidst the ruins of one administration, with the foundations of another not yet laid, and with wild men screaming through the keyholes. No police force was functioning through the country, no system of justice was operating, the wheels of administration hung idle, battered out of recognition by the clash of rival jurisdictions. A people emerging from a period of revolution were thrown upon their own resources, unaided by any fabric of administration, for the maintenance of order and the decencies of life. Who will say with any confidence that a similar situation in France, in Italy, in America, even in England, with its long tradition of sober responsible citizenship, would not produce substantially similar results?

Task
confronting
the
Provisional
Government.

Add to the picture which I have outlined the fact that the guerilla territorial force which had been the I.R.A. was divided on the issue of the Treaty, and that, throughout the country, supplementing the frenzied eloquence of Mr. de Valera, the fair were inciting the brave to sanguinary wadings in defence of what was called "the existing Republic," and the problem which confronted the Provisional Government emerges in somewhat definite shape. On that problem there could be but one decision. This new tyranny had to be met and smashed. The right of the people to found a State on the basis of the Treaty which had been signed by their plenipotentiaries, and endorsed by their Parliament, had to be vindicated beyond question. Weak and reeling from their conflict with British administration, the people of Ireland had to defend from internal enemies their hard-won right to be the masters in their own land.

On the 27th of June, 1922, the Four Courts was attacked

and its garrison taken prisoners, and a hastily-formed, ill-trained, ill-equipped army proceeded to grapple with the forces of anarchy throughout the country. By September the position had so much improved that the Provisional Parliament could be summoned to undertake the task of enacting a Constitution for the country. The Constitution of the Irish Free State was passed into law on the 25th of the following month. By September, too, a new police force, recruited, trained and equipped by the Provisional Government, was pushing out through the country in those areas which had been sufficiently cleared by the military, and District Justices, newly appointed in substitution for the old Petty Sessions Courts, were following the police. The idea of law was being gradually and painfully resurrected. Order was evolving from chaos.

Passing of
Griffith and
Collins: a
Tribute.

In the month of August, before the Provisional Parliament met, Ireland had reeled under two hammer blows of Fate, delivered in cruel succession. On the morning of the 12th of August, Arthur Griffith, worn out by his labours, broken by the intensity of the strain, fell dead on his doorstep when leaving for his office to take up his daily task. He had laboured strenuously and unselfishly throughout his life for the uplifting of his country. Never faltering, never losing faith through the darkest days, he had lived to be the Chairman of the Delegation which signed with British Ministers her Treaty of Peace. Now, on the eve of the establishment of a State on the basis of that Treaty, he passed quietly away, leaving to his countrymen, whom he loved, his simple message—"People of Ireland, hold fast to the Treaty. It is your economic need. It is your political salvation." Ten days later Michael Collins was killed in an ambush in his native county. He was Chairman of the Provisional Government, but when fighting broke out, he went to take chief command of the new Army which was in process of formation. It has been said of Danton that "he summed up France" of the Revolution. Michael Collins can as truly be said to have summed up Ireland. For five years his broad young shoulders bore a burden such as no other man was bearing. His vibrant personality roused and rallied his countrymen. Sprung from the loins of the people, his love for the people was too big, too real, to allow his nationalism to become a thing of dry formulae or doctrinaire theories. Realist that he was, he recognised that the Treaty gave his countrymen full power to construct and develop their own national life, and he sealed his faith with his life-blood.

I do not believe that Ireland in all her chequered story ever experienced the national woe which overcast her in that black fortnight of August, 1922. I will not attempt to describe the feelings of those who were left to take up the task and burden of the two gallant men who, in their respective spheres, had fallen in harness. For a period hope seemed to have dis-

appeared, and only a grim sense of duty and the inspiration of the example of the dead leaders kept each man to his task, toiling with empty heart and sorrow-stunned mind only because the men who were gone had left a message of toil.

On the 6th of December, 1922, the Free State was formally established, and for the first time a Government and Parliament was free to turn its attention to legislation in accordance with the country's needs. The time of the Provisional Parliament had been occupied almost entirely in discussion and divisions on the eighty-three Articles of the Constitution. It gave way now to a Parliament with the fullest powers of legislation just as the Provisional Government, which had held the reins throughout the year of transition, handed over to the Government of the new-born Free State. 1922 was a pivotal year for the future of Ireland. It presented a particularly severe test to the people of Ireland, but they stood that test.

Irish Free
State
established.

The two years that have elapsed since the formal establishment of the State have been years of considerable legislative and administrative achievement. Some idea of the volume of work which had to be dealt with both by the Departments of Government and by the Parliament will be gathered when I say that since the establishment of the State one hundred Bills have received the signature of the Governor-General. Many of these, of course, dealt with matters of administration arising from the change of Government, others were designed to strengthen the hand of the Government in dealing with the situation which confronted them in parts of the country, but many others were definitely constructive in their scope and purpose, and will have far-reaching reactions on the lives of the people.

Two years'
work of
Oireachtas.

Early attention was given to the important question of the completion of Land Purchase, and the Department of Agriculture brought forward a measure to that end which has won general approval through the country, and which seems to have gone as near to giving satisfaction to both landlord and tenant interests as it was humanly possible to go. Under the provisions of the Bill, the Land Commission has been given ample power to deal finally with what has been a chronic social and economic problem along the Western sea-board, one to which each of the long line of British Chief Secretaries was introduced soon after his arrival—the problem of what is known as the Congested Districts. In many counties along the Western Coast from Donegal to Kerry, hundreds, even thousands of families, scrape a bare existence from miserable uneconomic holdings of wretched land, maintaining in toil and uncertainty a standard of life that is a disgrace to any modern civilised community. The Land Act gives to the Land Commission powers of compulsory acquisition of untenanted land in any county for the relief of this problem of congestion.

Land Act.

Amalgama-
tion of
Railway
System.

The railway system of the country has been completely reorganised by legislation, the nett effect of which is to amalgamate the various undertakings whose lines lie wholly within the area of jurisdiction of the Free State Government. Without attempting to enter into any details of a very complicated measure, I may say that it is claimed that it will provide for the country a more economic system of railway transport, while enabling substantial reductions of charges to be effected with consequent relief to industry, and in particular to the country's main industry, agriculture. In fact, this month there has taken place a garnering of first fruits in the shape of a reduction of freights by the tribunal constituted under the Act at the instance of the Department of Industry and Commerce.

New
Judiciary.

One of the first acts of the Provisional Government was to set up a Judiciary Committee under the Chairmanship of Lord Glenavy, an ex-Lord Chancellor of Ireland, to review the Court system of the country, with special regard to the desirability of providing for the people a system that would be at once less costly, more expeditious, and more suited generally to their requirements than the system which had obtained under British administration. Many eminent members of the legal profession, as well as representative lay citizens, acted on that Committee, and the Court of Justice Act, which has been passed and is now coming into operation in the country, is based on its unanimous report.

Housing and
Drainage.

Housing and drainage questions have also occupied the attention of the Government and Parliament, though the relief afforded is scarcely on a scale commensurate with actual requirements. Bills dealing with both of these questions, were, however, passed by the Oireachtas with satisfactory practical results. The Government hopes to be able to undertake in the coming year the important work of draining the Barrow, the annual flooding of which does considerable damage in agricultural districts in the Midlands.

Trade
Loans.

The Minister for Industry and Commerce hopes for substantial results from a Trade Loans Guarantee Act which he has recently piloted through Dáil and Senate. The Act empowers him to pledge the Government credit as security for loans to individuals or companies whose undertakings or proposed developments are recommended to him by a committee of business men selected by the Government, as being intrinsically sound and of a nature calculated to relieve unemployment. Already numerous applications have come in, and are being considered by the Minister's Committee.

Development
of Water-
power.

Finally, if there matures, as we hope and believe there will mature, that very considerable water-power development forecasted in the Siemens Shannon Scheme, it can well be claimed for the first Government of the Free State that it was not content with the mere laying of foundations, nor with

warding off the onslaught on the infant State, but that in addition it was wisely active in the promotion of the welfare and prosperity of its citizens.

What, then, is the general picture since the Treaty was signed by Collins and Griffith and endorsed by Dáil Eireann ? An army of 40,000 men was raised to repel the challenge to Democracy and to restore order. With its work substantially completed, it has been reduced to less than half that strength. A new police force has been recruited, trained, and distributed in over eight hundred stations through the country. A new system of Courts is operating. Railway transport has been placed, as we hope, on an economic basis, with resulting advantage to the economic life of the country.

Summary of
work
accomplished
since
Endorsement
of Treaty.

An important scheme of land purchase and distribution is well under weigh. Far-reaching developments in water-power and drainage are projected, and are actually in course of examination. In 1923 an internal loan of ten million pounds was over-subscribed within ten days. You will not find these things in the newspapers, but if a drunken tramp burns a farmer's hay rick in Kerry or Galway, space is usually found for it, with an implication that only Irish tramps are addicted to the use of alcohol and tobacco.

Irish
National
Loan.

I have no desire whatever to paint a false picture. There are many things wrong in the Free State still which Irishmen will have the pleasure of setting right. But I do suggest that an extremely difficult year of transition and two difficult years of the State's infancy have been weathered in a manner which leaves no reasonable doubt about the country's future. In Ireland, as elsewhere, there is unemployment. In Ireland, as elsewhere, there is economic depression. Since 1920, agriculture, the country's main industry, has been working on a falling market, and the depression of the country finds its reflection in the town. **The important thing to remember, however, is that to-day wherever things are wrong in Ireland, active Irish brains are working for their rectification, and an Irish Parliament with full powers stands ready to legislate in accordance with requirements.** In the past, when things were wrong in Ireland, it was regarded as in the natural order, or even as a dispensation of Providence like the Famine. To-day because there has been "a reversion to the normal—a sudden and violent return to those conditions which are the necessary bases of health in any political community," we can at least grapple with unpropitious circumstances. We can, at least, think and work and legislate and administer in accordance with the requirements of our own problems.

There yet
remains
work to
be done.

We recognise, for instance, that if we are not to be driven off this great market alongside our coast by our continental competitors in agricultural produce, there must be a toning up of agricultural conditions, an improvement of methods, a standardisation of produce, and an increased output. The

Minister for Agriculture has been busy preparing his legislative and administrative programme, and Dáil Eireann has spent long evenings arguing as to whether eggs should be stamped at the farm or by the dealer, and butter graded at the ports or in the creameries. We are threatened with a Cattle-Breeding Bill for the current session to complete our downfall into gross materialism.

Attitude of
British Press
towards
Ireland.

I see by the newspapers occasionally, and particularly by the British newspapers, that there is disorder in Ireland. I have been Minister for Home Affairs in Ireland since September 1922 ; my title was changed recently to that of Minister for Justice, but the work remains much the same. I might be suspected of knowing a little about any disorder that exists, and I think I may venture to say here, where they can't hear me, what I really think about this matter. I think that the people are very good, and getting better every day. The country is more normal to-day than it has been at any time since 1912 or 1913. To-day there is in Ireland a phenomenon which was never seen in the days of British administration—an unarmed police force functioning from Donegal to Cork with the complete goodwill and co-operation of the people.

I see, too, by the newspapers that we are suffering from a political disease called instability. Since I was appointed a member of the Provisional Government in Ireland, I have shaken hands with four English Prime Ministers, and may be meeting the fifth any time now. We are shocked in Ireland at the political instability of this country. We did hope that once Ireland, as a bone of contention, was withdrawn, things would begin to settle down.

Ireland in
British
Politics.

It is true that we have been accused of crossing the path again recently—and there is no gainsaying the fact that a special session of the British Parliament had to be called to deal with a Bill which might be, a little loosely and inaccurately, described as an Irish measure. That was regrettable. It should not have been necessary. In so far, however, as it was necessary, the Government of which I am a member must disclaim responsibility. Perhaps I had better explain in some detail. It would be a serious charge, if true, that after we had contested with emphasis our right to be sole arbiters in our own affairs we were needlessly obtruding those affairs upon the attention of the British Parliament.

In 1920, a year before the Irish Truce and negotiations, the British Parliament passed an Act purporting to establish not one, but two Parliaments in Ireland, assigning six and twenty-six counties as their respective areas of jurisdiction. One area was named "Northern Ireland," and the other, which included the most northerly county in Ireland, was named "Southern Ireland." No representative from Ireland, North, South, East, or West, voted for the Bill. The Parliament of Southern Ireland never functioned. I did hear that the three members for Trinity College went into a house

somewhere in Dublin, and that Number One proposed and Number Two seconded that Number Three be Speaker, after which the Parliament adjourned.

In 1921 came the Truce and the negotiations, and in due course the negotiators found themselves faced with the British Parliament's indiscretion of the year before. A Parliament had met in Belfast, and had proceeded to assume a much-challenged jurisdiction over the area which had been assigned to it with less consideration than would be given by a Local Government authority to the extension of a city's boundaries.

Before proceeding to deal with the alternatives provided by the Treaty to meet the special situation existing in the North-Eastern portion of our country, I would like to make a few general statements as to the light in which this question is viewed by the Government of the Free State. We believe in facing political facts. It is unquestionably a political fact that a substantial minority in the North-East have not shared the ideals and aspirations of the remainder of their countrymen. It is true, too, that over a period when the destiny of our country was the shuttlecock of English party politics, religious bigotry was deliberately developed as a factor in a political situation. Inflammation of that kind is likely to disappear with the disappearance of the cause, and no sane person in Ireland believes that the situation could or should be met by an attempt to impose compulsorily upon that homogeneous minority a distasteful jurisdiction.

The Irish plenipotentiaries were willing to recognise the existence of a problem in the North-East and of a Parliament in Belfast. But while they were prepared to make large sacrifices for a recognition of the essential unity of the country, they made it clear that if political unity could not be achieved the area of jurisdiction of the Northern Parliament should be examined with a view to reducing the problem to its true proportions, and confining the jurisdiction of the Parliament to what is, after all, its sole *raison d'être*, namely, a homogeneous population desiring exclusion from the jurisdiction of the National Parliament and the political system of the Irish State.

The idea of political unity was not, however, lightly abandoned. One of the alternatives presented to the Northern Parliament under the Treaty was that of retaining intact its six-county area of jurisdiction and the substantial local autonomy conferred by the Act of 1920, and accepting the same relationship with the National Parliament as had previously existed with Westminster. Unfortunately, that course has been rejected; the way of secession from the political system of the Free State has been chosen, necessitating the fulfilment of the condition which the Treaty attached to that alternative.

Irish Free
State and
North-
Eastern
Question.

Alternatives
presented
to North-
Eastern
Parliament
by Irish
Treaty of
1921.

The Treaty, by its first Article, provides that "Ireland

shall have the same constitutional status as the Dominion of Canada, and shall be styled and known as the Irish Free State." The Irish Free State was thereby established as a single political entity embracing all Ireland. Article XI of the same document lays down that "Until the expiration of one month from the ratification of this instrument, the powers of the Government and Parliament of the Irish Free State shall not be exercisable as respects Northern Ireland, and the provisions of the Government of Ireland Act, 1920, shall remain of full force and effect." I ask attention to the exact wording: "the powers of the Government of the Irish Free State shall not be exercisable as respects Northern Ireland." The existence of those powers is not in question; in fact, it is admitted by implication, but they are temporarily suspended or paralysed, and the *status quo* is temporarily maintained. Why? To what end? To enable the Parliament that had come into existence in Belfast prior to the negotiations to make its choice between the alternatives offered by Articles XII and XIV of the Treaty.

Article XIV, as I have shown, would have preserved the political unity of Ireland. The Northern Parliament, with an intact six-county area of jurisdiction, would assume towards the National Parliament the relationship which had previously existed with Westminster. Article XII is the way of secession. It provides that by address presented to His Majesty, the Northern Parliament may secure exclusion from the political system of the Irish State for as much of its area as can show a case for such exclusion on the basis of "the wishes of the inhabitants," qualified, where necessary, by "economic and geographic conditions."

The Northern Parliament is at present in the eminently unreasonable and indefensible position of having adopted and acted upon portion of Article XII and being in revolt against the remainder. By address to His Majesty, as prescribed by the Article, they sought exclusion from the political system of the Free State. Going the way of secession, they wish in that secession to bring out and to keep out from the jurisdiction of the National Parliament large areas adjacent to the existing boundary whose inhabitants predominantly desire to be included in that jurisdiction, and passionately resent the arbitrary manner in which the British Act of 1920 assigned them to the jurisdiction of the Northern Parliament. These people look for the honourable fulfilment of the proviso which attached to the contingency of the Northern Parliament choosing the way of secession provided by Article XII, rather than the way of unity as offered by Article XIV.

What is that proviso? I will quote it in full. Its concluding lines are seldom quoted, because they show specific advertence to the Act of 1920, and an intention to obliterate the arbitrary assignment of jurisdiction which that Act perpetrated, and to place upon the Commission the onus of

Present
attitude of
North-
Eastern
Parliament.

What the
Boundaries
of the
Jurisdiction
of the
two Irish
Parliaments
shall be.

determining a new boundary in accordance with factors clearly agreed upon and as clearly stated in the proviso:—
 “ Provided that if such an address is so presented, a Commission consisting of three persons, one to be appointed by the Government of the Irish Free State, one to be appointed by the Government of Northern Ireland, and one who shall be Chairman, to be appointed by the British Government, shall determine in accordance with the wishes of the inhabitants, so far as may be compatible with economic and geographic conditions, the boundaries between Northern Ireland and the rest of Ireland, **and for the purposes of the Government of Ireland Act, 1920, and of this instrument, the boundary of Northern Ireland shall be such as may be determined by such Commission.**”

The Northern Government, which had adopted and acted upon the first portion of this Article, refused to appoint a representative on this Commission, and the British Parliament, as the predominant Parliament of the area concerned, and in its capacity as party to the Treaty of 1921, was compelled to come in and make good by special legislation the default of the subordinate Provincial Parliament and Government. This necessity has been talked of as “ Ireland again crossing the path of domestic politics,” but it should be clearly understood that the necessity for the Bill arose from the fact that a Government and Parliament created in Ireland by a British statute, for which no Irish representative voted, had attempted, while recognising and availing of portion of the Treaty, to break the British bond in respect of another very vital portion without which the Irish plenipotentiaries could never have agreed to the provision which was availed of.

There can be but one explanation of the hostility of the Northern Government to this Commission and their refusal to appoint the representative to which they were entitled. They wish to retain within their jurisdiction areas for the retention of which they can show no reasonable case. They wish to keep out from the political system of the Irish State areas whose inhabitants desire to be included in that system. With threat of civil war and sectarian pogrom, they demand to be allowed to retain within their jurisdiction homogeneous Nationalist communities to whom their jurisdiction is distasteful and who have no desire whatever to secede from the political system of the Irish State. There would be no need for arbitration at all if Sir James Craig would join with President Cosgrave in saying, “ I have no desire to keep within the jurisdiction of my Government areas containing populations to whom that jurisdiction is distasteful.” There is a complete refusal to subscribe to that sentiment, and such refusal is equivalent to an assertion of the contrary claim. So we arrive at the position that the privilege which the Irish plenipotentiaries in 1921 agreed to extend to the homogeneous

Sole explanation of hostility of North-Eastern Government to Boundary Commission.

Orange population in the North-East is sought to be denied now to Nationalist communities resident in areas adjacent to the boundary which was arbitrarily drawn by the English Statute of 1920, for which the sanction of a single Irish vote cannot be claimed. That is not the spirit or intention of the Treaty provision. The Irish signatories agreed that there should be no attempt to impose upon the homogeneous Orange population in the North-East a jurisdiction that would be distasteful to them. They asked in return, and secured by the Treaty, that in the event of Article XII being rejected, a Commission would reduce this problem to its true proportions, and would ensure that predominantly Nationalist areas would not be excluded from the jurisdiction of their choice. Without following the example of Lord Birkenhead and calling anyone a contingent lunatic,⁹ I submit that **the true scope and function of this Boundary Commission are to determine how much of the area defined by the 1920 Act as "Northern Ireland" is reasonably entitled to exclusion from the political system of the Irish State by reason of containing inhabitants homogeneously or predominantly desirous of such exclusion.**

True scope
and function
of Boundary
Commission.

I have dwelt at some length on this question. It is, after all, our outstanding political problem—a heritage from the past. The Boundary Commission will not solve that problem it will only delimit, leaving time to do its healing work, and bring in its remedies in more auspicious season.

What we are seeking at the moment is that there be not added to the existing problem which we are prepared to recognise in its true proportions, the problem of expatriated Nationalist communities. The Treaty has placed the Free State Government in a position of trusteeship to the rights which were secured for these people by Article XII in the event of the Northern Parliament rejecting the scheme of political union which the Treaty offered. We have no honourable alternative to the fulfilment of that trust.

I have said what I have to say about the Ireland of yesterday and to-day. I would prefer that you should deduce for yourselves the Ireland of to-morrow.

I do not know whether I have succeeded in conveying to you any general impression of our country's position and prospects. The impression I would wish to convey is that of a country which has no problems confronting it equal to those which it has successfully surmounted, a country which has diagnosed and is treating its social and economic ailments, a country facing the future with a quiet confidence that it can and will justify and vindicate its age-long struggle for mastery in its own house.



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